

JS 44 (Rev. 09/11)

CIVIL COVER SHEET

The JS 44 civil coversheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Devence Powell

DEFENDANTS

Trans Union, LLC, et al.

12

4466

(b) County of Residence of First Listed Plaintiff Unknown
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE:

IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) Attorneys (Firm Name, Address, and Telephone Number)
See attachment.

Attorneys (If Known)
See attachment.

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Med. Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/ Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee (Prisoner Petition) <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input checked="" type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN

- (Place an "X" in One Box Only)
- ☐ 1 Original Proceeding
- ☒ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from another district (specify)
- ☐ 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

15 U.S.C. § 1681 et seq.

Brief description of cause:

Fair Credit Reporting Act claim.

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$
12,401.00

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

8-6-12

C. S. S. S.

AUG 6 2012

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

ATTACHMENT TO CIVIL COVER SHEET

Devence Powell v. Trans Union, LLC, et al.

Attorneys (If Known):

Vicki Piontek, Esq.
951 Allentown Road
Lansdale, PA 19446

Counsel for Plaintiff

Casey B. Green, Esq.
Sidkoff, Pincus & Green, P.C.
2700 Aramark Tower
1101 Market Street
Philadelphia, PA 19107

Counsel for Trans Union, LLC

PD

UNITED STATES DISTRICT COURT

12

4466

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: Devence Powell, c/o Piontek Law Office, 951 Allentown Rd., Lansdale, PA

Address of Defendant: Trans Union, LLC, 555 W. Adams St., Chicago, IL 60661

19446

Place of Accident, Incident or Transaction: Unknown

(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation, owning 10% or more of its stock?
(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a))

Yes ☒ No ☐

Does this case involve multidistrict litigation possibilities?

Yes ☐ No ☒

RELATED CASE, IF ANY:

Case Number: _____ Judge _____ Date Terminated: _____

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?
Yes ☐ No ☒
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?
Yes ☐ No ☒
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?
Yes ☐ No ☒
4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?
Yes ☐ No ☒

CIVIL: (Place ☒ in ONE CATEGORY ONLY)

A. Federal Question Cases:

1. ☐ Indemnity Contract, Marine Contract, and All Other Contracts
2. ☐ FELA
3. ☐ Jones Act-Personal Injury
4. ☐ Antitrust
5. ☐ Patent
6. ☐ Labor-Management Relations
7. ☐ Civil Rights
8. ☐ Habeas Corpus
9. ☐ Securities Act(s) Cases
10. ☐ Social Security Review Cases
11. ☒ All other Federal Question Cases
(Please specify) Fair Credit Reporting Act

B. Diversity Jurisdiction Cases:

1. ☐ Insurance Contract and Other Contracts
2. ☐ Airplane Personal Injury
3. ☐ Assault, Defamation
4. ☐ Marine Personal Injury
5. ☐ Motor Vehicle Personal Injury
6. ☐ Other Personal Injury (Please specify)
7. ☐ Products Liability
8. ☐ Products Liability — Asbestos
9. ☐ All other Diversity Cases
(Please specify) _____

ARBITRATION CERTIFICATION

(Check Appropriate Category)

I, Casey B. Green,

counsel of record do hereby certify:

- ☐ Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;
- ☐ Relief other than monetary damages is sought.

DATE: August 3, 2012 Casey B. Green

Attorney-at-Law

91005

Attorney I.D.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

AUG 6 2012

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: August 3, 2012

Attorney-at-Law

91005

Attorney I.D.#

PD

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CASE MANAGEMENT TRACK DESIGNATION FORM

Devence Powell

v.

Transunion, LLC, et al.

CIVIL ACTION

12 4466

NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management – Cases that do not fall into any one of the other tracks. (X)

August 3, 2012
Date

Casey B. Green
Attorney-at-law

Trans Union, LLC
Attorney for

(215) 574-0600

(215) 574-0310

cg@sidkoffpincusgreen.com

Telephone

FAX Number

E-Mail Address

(Civ. 660) 10/02

AUG 6 2012

**Civil Justice Expense and Delay Reduction Plan
Section 1:03 - Assignment to a Management Track**

- (a) The clerk of court will assign cases to tracks (a) through (d) based on the initial pleading.
- (b) In all cases not appropriate for assignment by the clerk of court to tracks (a) through (d), the plaintiff shall submit to the clerk of court and serve with the complaint on all defendants a case management track designation form specifying that the plaintiff believes the case requires Standard Management or Special Management. In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a case management track designation form specifying the track to which that defendant believes the case should be assigned.
- (c) The court may, on its own initiative or upon the request of any party, change the track assignment of any case at any time.
- (d) Nothing in this Plan is intended to abrogate or limit a judicial officer's authority in any case pending before that judicial officer, to direct pretrial and trial proceedings that are more stringent than those of the Plan and that are designed to accomplish cost and delay reduction.
- (e) Nothing in this Plan is intended to supersede Local Civil Rules 40.1 and 72.1, or the procedure for random assignment of Habeas Corpus and Social Security cases referred to magistrate judges of the court.

**SPECIAL MANAGEMENT CASE ASSIGNMENTS
(See §1.02 (e) Management Track Definitions of the
Civil Justice Expense and Delay Reduction Plan)**

Special Management cases will usually include that class of cases commonly referred to as "complex litigation" as that term has been used in the Manuals for Complex Litigation. The first manual was prepared in 1969 and the Manual for Complex Litigation Second, MCL 2d was prepared in 1985. This term is intended to include cases that present unusual problems and require extraordinary treatment. See §0.1 of the first manual. Cases may require special or intense management by the court due to one or more of the following factors: (1) large number of parties; (2) large number of claims or defenses; (3) complex factual issues; (4) large volume of evidence; (5) problems locating or preserving evidence; (6) extensive discovery; (7) exceptionally long time needed to prepare for disposition; (8) decision needed within an exceptionally short time; and (9) need to decide preliminary issues before final disposition. It may include two or more related cases. Complex litigation typically includes such cases as antitrust cases; cases involving a large number of parties or an unincorporated association of large membership; cases involving requests for injunctive relief affecting the operation of large business entities; patent cases; copyright and trademark cases; common disaster cases such as those arising from aircraft crashes or marine disasters; actions brought by individual stockholders; stockholder's derivative and stockholder's representative actions; class actions or potential class actions; and other civil (and criminal) cases involving unusual multiplicity or complexity of factual issues. See §0.22 of the first Manual for Complex Litigation and Manual for Complex Litigation Second, Chapter 33.

4350
PD

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

DEVENCE POWELL,
Plaintiff,

CASE NO.

vs.

12 4466

TRANSUNION, LLC; JOHN DOES 1-10;
and X, Y, Z CORPORATIONS;
Defendants.

TRANS UNION, LLC'S NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, Defendant Trans Union, LLC ("Trans Union") hereby removes the subject action from the Court of Common Pleas of Delaware County, Pennsylvania, to the United States District Court for the Eastern District of Pennsylvania, on the following grounds:

1. Plaintiff Devence Powell served Trans Union on or about July 25, 2012, with a Notice and Complaint filed in the Court of Common Pleas of Delaware County, Pennsylvania. Copies of the Notice and Complaint are attached hereto as Exhibit A, redacted pursuant to Federal Rule of Civil Procedure 5.2. No other process, pleadings or orders have been served on Trans Union.

2. Plaintiff alleges that Trans Union is liable under the Fair Credit Reporting Act, 15 U.S.C. § 1681 et seq. (the "FCRA"). See Complaint, paras. 9-22.

3. This Court has original jurisdiction over the subject action pursuant to 28 U.S.C. § 1331 since there is a federal question. As alleged, this suit falls within the FCRA which thus supplies this federal question.

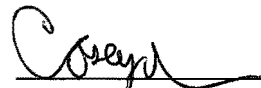
4. Pursuant to 28 U.S.C. § 1441, *et seq.*, this cause may be removed from the Court of Common Pleas of Delaware County, Pennsylvania, to the United States District Court for the Eastern District of Pennsylvania.

5. Notice of this removal has been or will promptly be filed with the Court of Common Pleas of Delaware County, Pennsylvania and served upon all adverse parties.

WHEREFORE, Defendant Trans Union, LLC, by counsel, removes the subject action from the Court of Common Pleas of Delaware County, Pennsylvania to this United States District Court, Eastern District of Pennsylvania.

Date: August 6, 2012

Respectfully submitted,



Casey B. Green, Esq.
Sidkoff, Pincus & Green, P.C.
2700 Aramark Tower
1101 Market Street
Philadelphia, PA 19107
Telephone: (215) 574-0600
Fax: (215) 574-0310
E-Mail: cg@sidkoffpincusgreen.com

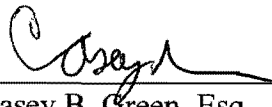
Counsel for Trans Union, LLC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing was served on the following parties via First Class, U.S. Mail, postage prepaid, on the **6th day of August, 2012**, properly addressed as follows:

<u>for Plaintiff Devence Powell</u>	
--	--

Vicki Piontek, Esq. 951 Allentown Road Lansdale, PA 19446	
---	--



Casey B. Green, Esq.
Sidkoff, Pincus & Green, P.C.
2700 Aramark Tower
1101 Market Street
Philadelphia, PA 19107
Telephone: (215) 574-0600
Fax: (215) 574-0310
E-Mail: cg@sidkoffpincusgreen.com

Counsel for Trans Union, LLC

EXHIBIT A

Notice and Complaint to Trans Union, LLC

IN THE COURT OF COMMON PLEAS
OF DELAWARE COUNTY, PENNSYLVANIA
CIVIL ACTION-LAW

Devence Powell	:	
c/o Piontek Law Office	:	
951 Allentown Road	:	
Lansdale, PA 19446	:	2012-2969
Plaintiff	:	
Vs.	:	
Transunion, LLC	:	
555 W. Adams Street	:	
Chicago, IL 60661	:	
and	:	
John Does 1-10	:	Jury Trial Demanded
and	:	
X,Y, Z Corporations	:	
Defendant	:	

NOTICE

YOU HAVE BEEN SUED IN COURT. IF YOU WISH TO DEFEND AGAINST THE CLAIMS SET FORTH IN THE FOLLOWING PAGES, YOU MUST TAKE ACTION WITHIN TWENTY (20) DAYS AFTER THE COMPLAINT AND NOTICE ARE SERVED BY ENTERING A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILING IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND A JUDGMENT MAY BE ENTERED AGAINST YOU BY THE COURT WITHOUT FURTHER NOTICE FOR ANY MONEY CLAIMED OR FOR ANY OTHER CLAIM OR RELIEF REQUESTED BY THE DEFENDANT. YOU MAY LOSE MONEY OR PROPERTY OR OTHER RIGHTS IMPORTANT TO YOU.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

Legal Aid of Southeastern Pennsylvania
Central Administration: 625 Swede Street, Norristown, PA 19401
Phone: 610-275-5400, Fax: 610-275-5406
Delaware County Location: 410 Welsh Street - Chester, PA 19013
610-874-8421 Fax: 610-490-6915

IN THE COURT OF COMMON PLEAS
OF DELAWARE COUNTY, PENNSYLVANIA
CIVIL ACTION-LAW

Devence Powell
c/o Piontek Law Office
951 Allentown Road
Lansdale, PA 19446

Plaintiff

2012-2969

Vs.

Transunion, LLC
555 W. Adams Street
Chicago, IL 60661
and
John Does 1-10
and
X,Y, Z Corporations

Defendant

Jury Trial Demanded

2012 JUL 20 PM 11:03
CLERK OF COURT
DELAWARE COUNTY

COMPLAINT

INTRODUCTION

1. This is a lawsuit for damages brought by an individual consumer for Defendant(s)' alleged violations of the Fair Credit Reporting Act (FCRA), and the Fair and Accurate Credit Transaction Act (FACTA), 15 U.S.C. 1681, et seq.

JURISDICTION AND VENUE

2. All previous paragraphs of this complaint are incorporated by reference and made a part of this complaint
3. Venue is proper in this District because Defendant(s) do(es) business in this jurisdiction and avails itself of the benefits of the market in this jurisdiction.
4. Witnesses involved in the case are located at or near this jurisdiction.
5. Venue is proper in this jurisdiction because a substantial portion of the transaction, occurrence or omission took place in this jurisdiction.

PARTIES

6. All previous paragraphs of this complaint are incorporated by reference and made a part of this complaint.
7. Plaintiff is Devence T. Powell, an adult individual with a mailing address of c/o of Piontek Law Office, 951 Allentown Road, Lansdale, PA 19446.
8. Defendants are the following individuals and business entities.
 - a. Transunion, LLC, a corporation with an address including but not limited to 555 W. Adams Street, Chicago, IL 60661.
 - b. John Does 1-10, individuals or business entities whose identities are not known to Plaintiff at this time, but which will become known upon proper discovery. It is believed and averred that such Does played a substantial role in the commission of the acts described in this complaint.
 - c. X,Y,Z Corporations, business identities whose identities are not known to Plaintiff at this time, but which will become known upon proper discovery. It is believed and averred that such entities played a substantial role in the commission of the acts described in this complaint.

**COUNT ONE: Violation of the Fair Credit Reporting Act and the Fair and Accurate
Credit Transactions Act, 15 USC 1681 et. seq.
Failure to Provide Plaintiff With Copy of Plaintiff's Consumer Report(s)**

9. All previous paragraphs of this complaint are incorporated by reference and made a part of this complaint.
10. At all times mentioned herein Plaintiff was a consumer as defined by 15 USC 1681.
11. At all times mentioned herein Plaintiff was a person as defined by 15 USC 1681a (c).
12. At all times mentioned herein Plaintiff was an individual as defined by 15 USC 1681a (c).
13. At all times mentioned in this Complaint, Defendant(s) maintained a "consumer report" on Plaintiff as defined by 15 USC 1681(a)(d) et. seq.
14. At all times mentioned in this Complaint, Defendant(s) was acting as a "consumer Reporting Agency" as defined by 15 USC 1681a(f) et. seq.
15. Within the applicable statute of limitations prior to the commencement of this action, Plaintiff contacted Defendant in writing and requested a copy of the information contained in Plaintiff's consumer report which was maintained by Defendant(s). See Exhibits.

16. At the time that Plaintiffs requested Plaintiffs' consumer report from Defendant(s), Plaintiff furnished proper proof of identity and proper proof of mailing address, plus the requests were notarized and accompanied by a photo ID.
17. Defendant(s) refused to provide Plaintiff with a free annual copy of Plaintiff's consumer report. See Exhibits.
18. Plaintiffs sent follow up requests to Defendant for a copy of Plaintiff's consumer report after Defendant refused to give Plaintiff a copy of Plaintiff's consumer report.

19. In Plaintiff's follow up requests, Plaintiff again furnished proper proof of identity and proper proof of mailing address, plus the requests were notarized and accompanied by a photo ID.

20. Plaintiffs' follow up requests were met with the same rejection and refusal by Defendant(s) to provide Plaintiff with a copy of Plaintiff's consumer report.

21. Defendant(s) did not have a valid or sufficient reason to refuse to send Plaintiff a copy of Plaintiff's consumer report.

22. Defendant(s) breached its / their duty under 15 USC 1681 g et. seq. to provide Plaintiff with a copy of Plaintiff's consumer report.

LIABILITY

23. It is believed and averred that the acts committed by Defendant(s), were willful, wanton and intentional.
24. Defendant(s) is liable for the acts committed by its agents under the doctrine of respondeat superior because Defendant's agents were acting within the scope of their employment with Defendant.
25. In the alternative, Defendant(s) is liable for the conduct of its agents / employees under the theory of joint and several liability because Defendant and its agents / employees were engaged in a joint venture and were acting jointly and in concert.
26. Any mistake made by Defendant(s) would have included a mistake of law.
27. Any mistake made by Defendant(s) would not have been a reasonable or bona fide mistake.

DAMAGES

At least \$1.00 actual damages for Plaintiff, including but not limited to phone, fax, stationary, postage, etc.

28. Plaintiff believes and aver that Plaintiff is entitled to \$1,000.00 statutory damages

Plaintiff pursuant to 15 USC 1681 et. seq.

29. Plaintiff believes and avers that Defendant's conduct was willful, wanton and intentional, and therefore Plaintiff requests punitive damages.

30. Plaintiff requests punitive damages against Defendant in the amount to be determined by this Honorable Court.

31. For purposes of a default judgment, Plaintiff believes and avers that the amount of such punitive damages should be no less than \$10,000.00 because Defendant(s) actions were had the effect of compromising the integrity of 15 USC 1681 et. seq.

ATTORNEY FEES

32. Plaintiff is entitled to attorney fees pursuant to 15 USC 1681 et. seq., in the amount of \$1,400.00 at a rate of \$350.00 per hour, enumerated below.

a. Consultations with client in person on multiple occasions for the purpose of obtaining Plaintiff's consumer report and reviewing this litigation 1

b. Drafting, editing, review, filing of complaint, and service of Complaint and related documents 1

c. Follow up contact with Defense 2

4 x \$350 = \$1,400

33. Plaintiff's attorney fees continue to accrue as the case move forward.

34. The above stated attorney fees are for prosecuting this matter and reasonable follow up.

OTHER RELIEF

35. Plaintiff seeks and Order from this Honorable Court, or other Court of competent jurisdiction, directing Defendant to Provide Plaintiff with his credit report once per year, free of charge.
36. Plaintiff seeks declaratory relief.
37. Plaintiff seeks in an order directing Plaintiff to provide Plaintiff with Plaintiff's consumer report.
38. Plaintiff requests a jury trial in this matter.
39. Plaintiff demands a jury trial in this matter.
40. Plaintiff seeks such other relief as this Honorable Court may deem just and proper.

Wherefore, Plaintiff demands judgment against Defendant(s) in the amount of no less than \$12,401.00 as enumerated below.

\$1.00 more or less actual damages.

\$1,000.00 statutory damages ke

\$1,400.00 attorney fees

\$10,000 punitive damages

\$12,401.00

Plaintiff seeks such additional relief as the Court deems just and proper.

Vicki Piontek 7-12-2012
Vicki Piontek, Esquire Date
Attorney for Plaintiff
951 Allentown Road
Lansdale, PA 19446
877-737-8617
palaw@justice.com
Fax: 866-408-6735

IN THE COURT OF COMMON PLEAS
OF DELAWARE COUNTY, PENNSYLVANIA
CIVIL ACTION-LAW

Devence Powell	:	
c/o Piontek Law Office	:	
951 Allentown Road	:	
Lansdale, PA 19446	:	
Plaintiff	:	
Vs.	:	
Transunion, LLC	:	
555 W. Adams Street	:	
Chicago, IL 60661	:	
and	:	
John Does 1-10	:	Jury Trial Demanded
and	:	
X,Y, Z Corporations	:	
Defendant	:	

VERIFICATION

I, Devence T. Powell, affirm that the statements contained in the attached complaint are true and correct to the best of my knowledge understanding and belief.

	
Devence T. Powell	Date

EXHIBIT A

Devence T. Powell
634 North 37th Street
Philadelphia, PA 19104

Trans Union Corporation
P.O. Box 1000,
Chester, PA 19022

Re. Devence T. Powell SSN: 

To Whom it May Concern:

I would like to request a free copy of all information that your company has on file for me. I have not obtained a copy of my report in the last 365 days.

Enclosed please find a copy of my identification, and other documentation of my identity and my address. Also, this letter is being notarized to assure my identity.

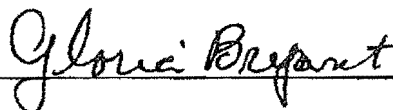
Please redact the first 5 digits of my Social Security Number on my consumer report.

Thank you.

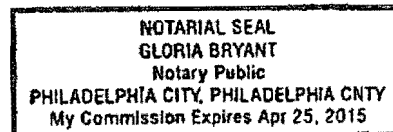
Sincerely,

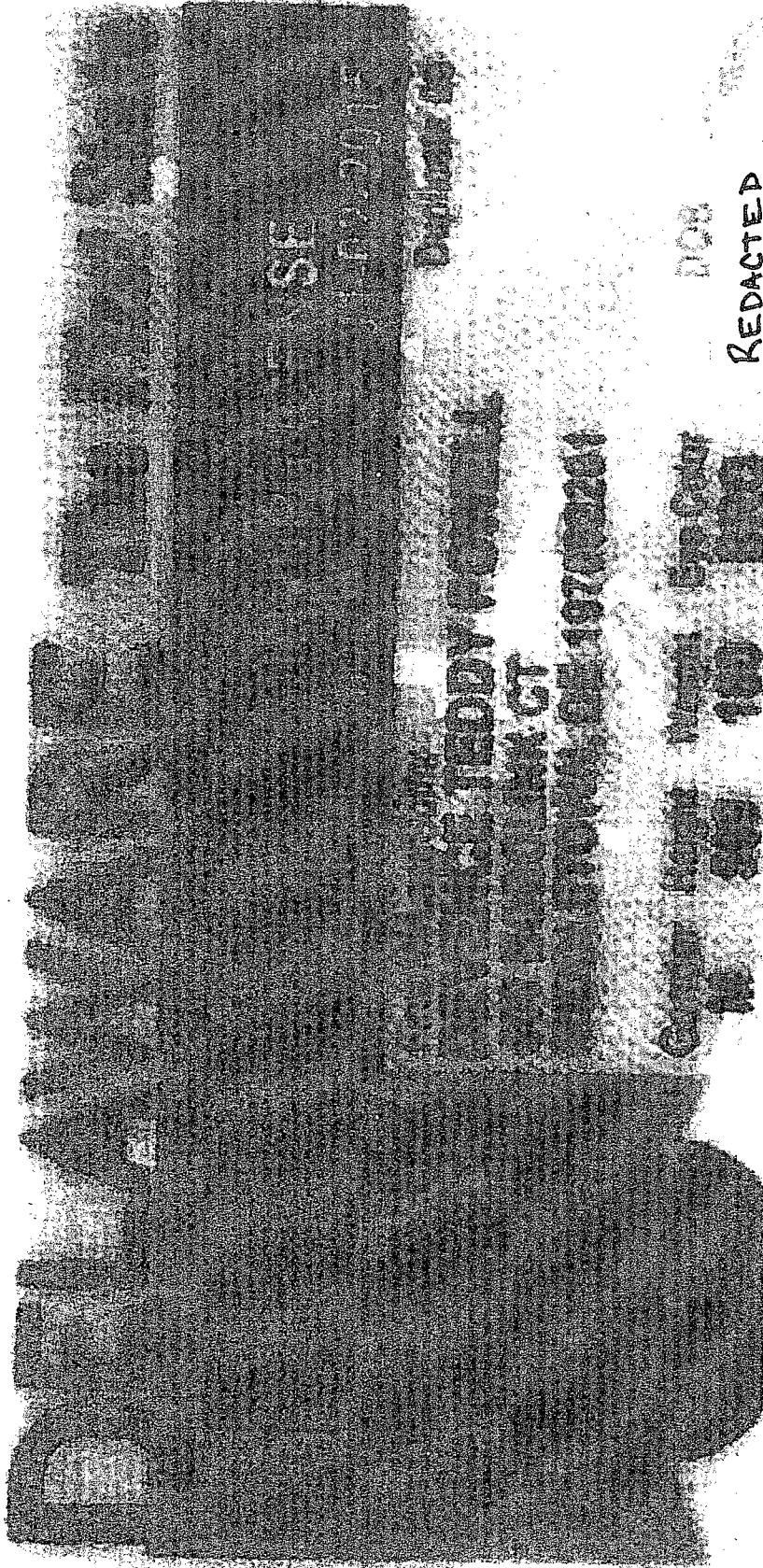

Devence T. Powell

2/8/12
Date


Signature and Seal of Notary

My Commission Expires: Apr. 25, 2015





REDACTED

DOE

ENDORS: M

Rec'd:

Deane Ford

J. Cohen
DIRECTOR

BOARD OF DIRECTORS

Anthony LaRosa, *Chairman*
John H. Richardson, *Vice Chairman*
James E. Cunningham, *Vice Chairman*
William A. Myers, *Secretary*
John LaRosa, *Treasurer and CEO*
Joann Zarro, *Director*
John J. Finley, *Director*



901 Arch Street
Philadelphia, PA 19107
215/931-0300 800/228-8801
www.pffcu.org

24 Hour EXPRESS Banker:
215/931-0315 800/448-4041

DEVENCE T POWELL
634 N. 37TH STREET
PHILADELPHIA PA 19104

November 16, 2011

Account Number ending with: 3601, Share 04
Current Balance: -\$12.50

Dear Police and Fire Federal Credit Union Member:

We value our relationship with you and want to point out that your account with us has been overdrawn since 11/7/2011. Please make a deposit of at least \$12.51 to clear up your negative balance.

We always want you to manage your finances responsibly. Therefore, if you have any questions regarding your account, please do not hesitate to call me at (215) 931-2447.

If you have already made a deposit to bring your account balance positive, please disregard this letter.

Sincerely,

Police and Fire Federal Credit Union

NOTICE TO DEBTORS IN BANKRUPTCY: If you have filed for bankruptcy, this notice is for "Informational Purposes Only", and not an attempt at debt collection.

EXHIBIT B

Devence T. Powell
634 North 37th Street
Philadelphia, PA 19104

Trans Union Corporation
P.O. Box 1000,
Chester, PA 19022

Re. Devence T. Powell SSN: ~~██████~~

To Whom it May Concern:

I would like to request a free copy of all information that your company has on file for me. I have not obtained a copy of my report in the last 365 days.

Enclosed please find a copy of my identification, and other documentation of my identity and my address. Also, this letter is being notarized to assure my identity.

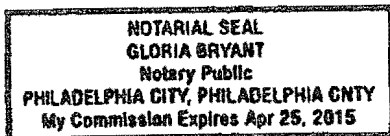
Please redact the first 5 digits of my Social Security Number on my consumer report.

Thank you.

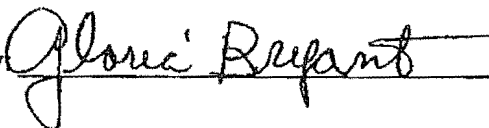
Sincerely,

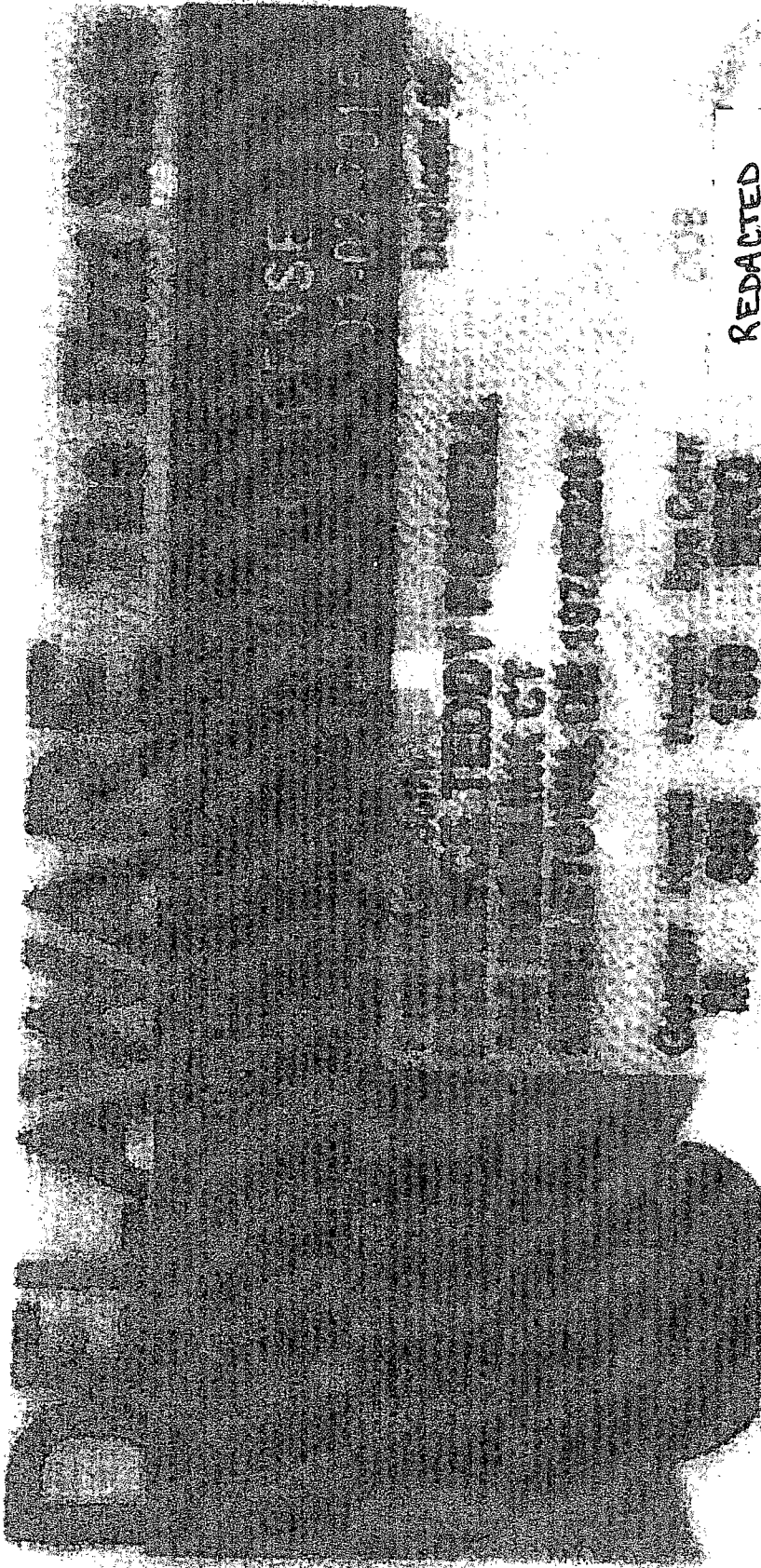

Devence T. Powell

4/23/12
Date



Signature and Seal of Notary





REDACTED

Encls: 11

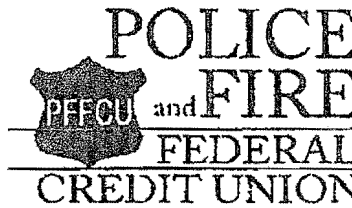
Recd:

Dustin Ford

J. Cohen
DIRECTOR

BOARD OF DIRECTORS

Anthony LaRosa, *Chairman*
John H. Richardson, *Vice Chairman*
James E. Cunningham, *Vice Chairman*
William A. Myers, *Secretary*
John LaRosa, *Treasurer and CEO*
Joann Zarro, *Director*
John J. Finley, *Director*



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Philadelphia, PA 19107
215/931-0300 800/228-8801
www.pffcu.org

24 Hour EXPRESS Banker:
215/931-0315 800/448-4041

DEVENCE T POWELL
634 N. 37TH STREET
PHILADELPHIA PA 19104

November 16, 2011

Account Number ending with: 3601, Share 04
Current Balance: -\$12.50

Dear Police and Fire Federal Credit Union Member:

We value our relationship with you and want to point out that your account with us has been overdrawn since 11/7/2011. Please make a deposit of at least \$12.51 to clear up your negative balance.

We always want you to manage your finances responsibly. Therefore, if you have any questions regarding your account, please do not hesitate to call me at (215) 931-2447.

If you have already made a deposit to bring your account balance positive, please disregard this letter.

Sincerely,

Police and Fire Federal Credit Union

NOTICE TO DEBTORS IN BANKRUPTCY: If you have filed for bankruptcy, this notice is for "Informational Purposes Only", and not an attempt at debt collection.

EXHIBIT C

Devence T. Powell
634 North 37th Street
Philadelphia, PA 19104
215-808-5019

Trans Union Corporation
P.O. Box 1000,
Chester, PA 19022

Re. Devence T. Powell

SSN:

[REDACTED]

Date of Birth: REDACTED

To Whom it May Concern:

I would like to request a free copy of all information that your company has on file for me. I have not obtained a copy of my report in the last 365 days.

Enclosed please find a copy of my identification, and other documentation of my identity and my address. Also, this letter is being notarized to assure my identity.

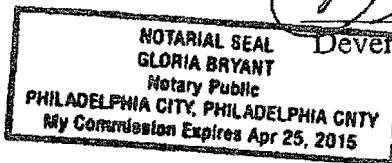
Please redact the first 5 digits of my Social Security Number on my consumer report.

Thank you.

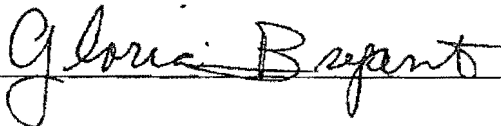
Sincerely,

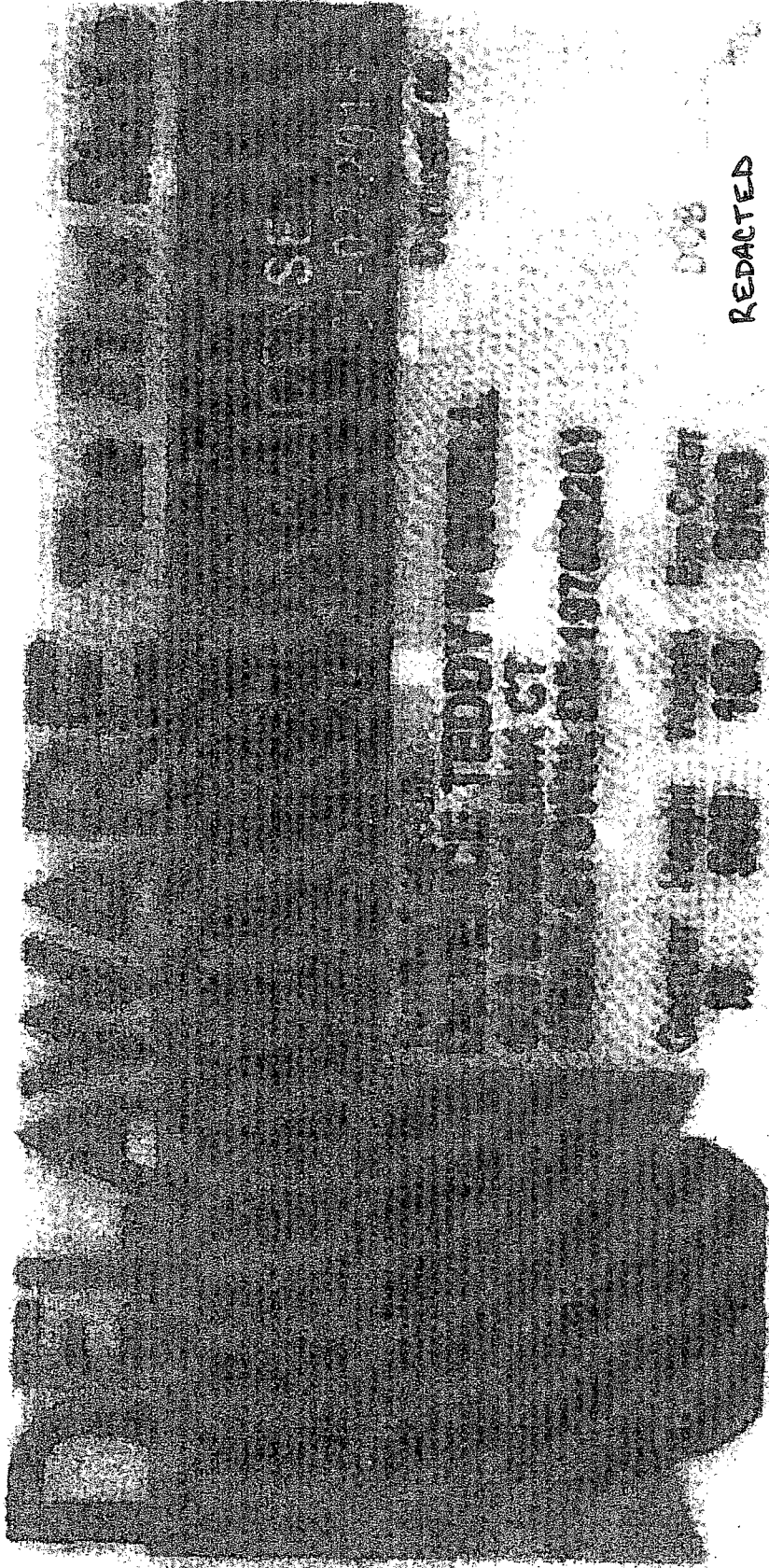

Devence T. Powell

6/20/12
Date



Signature and Seal of Notary:





Division

UNITED STATES OF AMERICA
V.
TEDDY W. GIBSON
JAMES H. GIBSON
JAMES H. GIBSON
JAMES H. GIBSON

Case No. 12-10700-201

Case No. 12-10700-201

DOCS

REDACTED

Exhibit: 11

Resto:

Dustin - final

G. Cochran
DIRECTOR



EXHIBIT D

Devence T. Powell
634 North 37th Street
Philadelphia, PA 19104
215-808-5019

Trans Union Corporation
P.O. Box 1000,
Chester, PA 19022

Re. Devence T. Powell SSN: ~~XXXXXXXX~~ Date of Birth: ~~REDACTED~~

To Whom it May Concern:

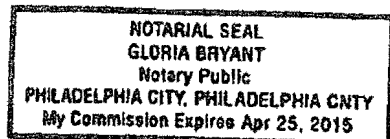
I would like to request a free copy of all information that your company has on file for me. I would like my consumer report please. I have not obtained a copy of my report in the last 365 days.

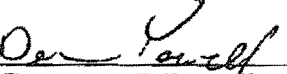
Enclosed please find a copy of my identification, and other documentation of my identity and my address. Also, this letter is being notarized to assure my identity.

Please redact the first 5 digits of my Social Security Number on my consumer report.

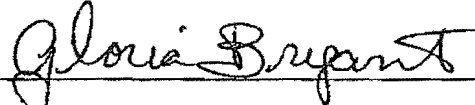
Thank you.

Sincerely,




Devence T. Powell

6/29/12
Date

Signature and Seal of Notary: 

1990

1965

REDACTED

100

100-443886-100

THE

BOARD OF DIRECTORS

Anthony LaRosa, *Chairman*
John H. Richardson, *Vice Chairman*
James E. Cunningham, *Vice Chairman*
William A. Myers, *Secretary*
John LaRosa, *Treasurer and CEO*
Joann Zarro, *Director*
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DEVENCE T POWELL
634 N. 37TH STREET
PHILADELPHIA PA 19104

November 16, 2011

Account Number ending with: 3601, Share 04
Current Balance: -\$12.50

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Sincerely,

Police and Fire Federal Credit Union

NOTICE TO DEBTORS IN BANKRUPTCY: If you have filed for bankruptcy, this notice is for "Informational Purposes Only", and not an attempt at debt collection.

EXHIBIT E

318258097-003
PO Box 2000
Chester, PA 19022



File Number: 318258097
Page: 1 of 2
Date Issued: 3/7/2012



TransUnion.

P1X4GJ00206395-I012789-115724030



DEVENCE TEDDY POWELL
634 N 37TH ST
PHILADELPHIA, PA 19104-1950

Thank you for contacting TransUnion. Our goal is to maintain complete and accurate information on consumer credit reports. We have provided the information below in response to your request.

Re: Disclosure Request - Proof of Current Mailing Address

We have received your request for a copy of your TransUnion Credit Report. However, the current mailing address you provided is not listed in our records. In order for TransUnion to process your request and to protect the confidentiality of your credit report, please complete the attached form and submit verification of your current address. Acceptable forms of verification include copies of two (2) of the qualifying documents listed below.

If you would prefer, you may visit us online at www.transunion.com to view a copy of your credit report.

- Drivers License
- State ID Card
- Bank or Credit Union Statement
- Cancelled Check
- Government Issued ID Card
- Signed Letter from Homeless Shelter
- Stamped Post Office Box Receipt
- Utility Bills (Water, Gas, Electric, or Telephone)
- Pay Stub

When providing proof of your current mailing address please ensure that bank statements, utility bills, cancelled checks and pay stubs are recent and not older than 2 months. All state issued license and identification cards must be current and unexpired. PO Box receipts and signed letters from a homeless shelter should not exceed more than 1 year in age. Please note that electronic statement printed from a website cannot be accepted for proof of address.

If you have any additional questions or concerns, please contact TransUnion at the address shown below, or visit us on the web at www.transunion.com for general information. When contacting our office, please provide your current file number 318258097.

P.O. Box 1000
Chester, PA 19022-1000

EXHIBIT F

318258097-005
PO Box 2000
Chester, PA 19022



File Number: 318258097
Page: 1 of 2
Date Issued: 5/17/2012



P20YFP00202906-1005811-129731123



DEVENCE TEDDY POWELL
634 N 37TH ST
PHILA, PA 19104-1950

Thank you for contacting TransUnion. Our goal is to maintain complete and accurate information on consumer credit reports. We have provided the information below in response to your request.

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- Pay Stub

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P.O. Box 1000
Chester, PA 19022-1000

318258097-007
PO Box 2000
Chester, PA 19022



File Number: 318258097
Page: 1 of 2
Date Issued: 6/28/2012



P23AB000202591-1005181-138404497



DEVENCE TEDDY POWELL
634 N 37TH ST
PHILADELPHIA, PA 19104-1950



Scan this with your
smartphone's QR Reader to
find out about an exciting offer
from TransUnion.

Thank you for contacting TransUnion. Our goal is to maintain complete and accurate information on consumer credit reports. We have provided the information below in response to your request.

Re: Disclosure Request - Proof of Current Mailing Address

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If you would prefer, you may visit us online at www.transunion.com to view a copy of your credit report.

- Drivers License
- State ID Card
- Bank or Credit Union Statement
- Cancelled Check
- Government Issued ID Card
- Signed Letter from Homeless Shelter
- Stamped Post Office Box Receipt
- Utility Bills (Water, Gas, Electric, or Telephone)
- Pay Stub

When providing proof of your current mailing address please ensure that bank statements, utility bills, cancelled checks and pay stubs are recent and not older than 2 months. All state issued license and identification cards must be current and unexpired. PO Box receipts and signed letters from a homeless shelter should not exceed more than 1 year in age. Please note that electronic statement printed from a website cannot be accepted for proof of address.

If you have any additional questions or concerns, please contact TransUnion at the address shown below, or visit us on the web at www.transunion.com for general information. When contacting our office, please provide your current file number 318258097.

P.O. Box 1000
Chester, PA 19022-1000

318258097-014
PO Box 2000
Chester, PA 19022



File Number: 318258097
Page: 1 of 2
Date Issued: 7/5/2012



P23NA100207866-1017259-139934460

DEVENCE, TEDDY POWELL
500 BOBOLINK CT
MIDDLETOWN, DE 19709



Scan this with your
smartphone's QR Reader to
find out about an exciting offer
from TransUnion.

Thank you for contacting TransUnion. Our goal is to maintain complete and accurate information on consumer credit reports. We have provided the information below in response to your request.

Re: Proof of Address Unacceptable - Reason # 3/4

We have received the documents you supplied for proof of your current mailing address; however, the document(s) were unacceptable due to one or more of the following reasons:

Reason #1: One or more of the documents provided was too old. Refer to the timeframes listed below.

Reason #2: One or more of the documents provided was illegible.

Reason #3: One or more of the documents provided was not a qualifying document. Refer to the list below.

Reason #4: Only one form of proof was provided. Two (2) qualifying documents are required.

Please provide two (2) current forms of the qualifying documents listed below.

- Drivers License
- State ID Card
- Bank or Credit Union Statement
- Cancelled Check
- Government Issued ID Card
- Signed Letter from Homeless Shelter
- Stamped Post Office Box Receipt
- Utility Bills (Water, Gas, Electric, or Telephone)
- Pay Stub

When providing proof of your current mailing address please ensure that bank statements, utility bills, cancelled checks and Pay Stubs are recent and not older than 2 months. All state issued license and identification cards must be current and unexpired. PO Box receipts and signed letters from a homeless shelter should not exceed more than 1 year in age. Please note that electronic statements printed from a website can not be accepted for proof of address.

In lieu of sending us the qualifying documents, you may call us at 1-800-916-8800 during normal business hours; to go through a verbal authentication process with one of our customer service representatives. Upon successfully passing verbal authentication, your records will be updated to show your current mailing address

If you have any additional questions or concerns, please contact TransUnion at the address shown below, or visit us on the web at www.transunion.com for general information. When contacting our office, please provide your current file number 318258097.

951 Allentown Road
Lansdale, PA 19446

7011 3500 0002 3163 3672



1000



\$0661

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LANSDALE, PA
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AMOUNT

\$7.40
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First Class Mail

RECEIVED

JUL 25 2012

CORPORATE
MAILROOM

Nancy Taylor
Legal Dept

forwarded by Tom Pazur

TRANUNION, LLC
555 W. Adams St
Chicago, IL 60661